

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 6/3/2014	(3) CONTACT/PHONE Airlin M. Singewald, Planner III / (805) 781-5198	
(4) SUBJECT Receive and file report on issuance of emergency permit (ZON2013-00589) authorizing the construction and operation of an emergency brackish water supply project, located at 990 San Simeon Creek Road midway between Cambria and San Simeon, to serve existing development within the Cambria Community Services District's service area. District 2.			
(5) RECOMMENDED ACTION It is recommended that the Board receive and file this item.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input type="checkbox"/> Board Business (Time Est. ____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input checked="" type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa M. Howe			
(18) SUPERVISOR DISTRICT(S) District 2			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Airlin M. Singewald, Planner III

VIA: Nancy Orton, Division Manager, Current Planning

DATE: 6/3/2014

SUBJECT: Receive and file report on issuance of emergency permit (ZON2013-00589) authorizing the construction and operation of an emergency brackish water supply project, located at 990 San Simeon Creek Road midway between Cambria and San Simeon, to serve existing development within the Cambria Community Services District's service area. District 2.

RECOMMENDATION

It is recommended that the Board receive and file this item.

DISCUSSION

Summary

Pursuant to Public Resources Code Section 30624(c), when the Planning Director issues an emergency permit, it must be scheduled on the agenda of the local jurisdiction's governing body (in this case, your Board) at its first scheduled meeting after the emergency permit has been issued.

On May 15, 2014, the Planning Director issued an emergency permit to the Cambria Community Services District (CCSD) for the construction of an emergency brackish water supply project to serve existing development within the CCSD's service area. The emergency permit authorizes the facility to operate during a CCSD-declared Stage 3 Water Shortage Emergency, during the time it takes to process a regular Coastal Development Permit. The CCSD will be required to apply for a regular Coastal Development Permit for the facility by June 15, 2014. No action is required as this is a "receive and file" item.

On January 30, 2014, the CCSD declared a Stage 3 Water Shortage Emergency due to severe drought conditions. This declaration was based on the District's analysis showing that projected water demands could exceed available supplies from the Santa Rosa and San Simeon creek aquifers (Cambria's only water supplies) and responded to Governor Jerry Brown's January 17, 2014 State of Emergency Proclamation, which calls on local urban water suppliers to implement their local water shortage contingency plans immediately.

The District's Stage 3 Water Shortage Emergency declaration enacted stringent water conservation measures, including surcharges for excessive water use and a prohibition on outdoor watering or irrigation of landscaping with potable water. While these conservation measures are expected to help curtail water demand in Cambria, the District has determined that a back-up water supply project is vital to ensure the security of Cambria's water supply during the upcoming dry season. The District Board initiated such a project when it passed an emergency authorization on January 30, 2014 to suspend formal bidding procedures and entered into a contract with CDM Smith to design and construct a 250 acre-foot capacity brackish water desalination facility.

Project Description

The brackish water desalination facility will be located adjacent to San Simeon Creek on a District-owned parcel (APN: 013-051-024), midway between Cambria and San Simeon, about 0.5-mile east of Highway 1 and the San Simeon State campground. The project will use an existing CCSD well to supply brackish water to an advanced water treatment plant, which will desalinate and treat the brackish water through a combination of microfiltration, reverse osmosis, and disinfection with ultraviolet light and hydrogen peroxide. The treated water is then injected back into the ground near the CCSD's existing production wells. To meet State health standards, the injection well is located to ensure that the treated water travels underground at least two months before it reaches the San Simeon wells that supply potable water. An existing earthen reservoir will be converted into a brine evaporation pond that would be periodically emptied using a small tractor/loader. The project also includes three habitat mitigation injection wells to offset impacts on riparian and aquatic habitat on San Simeon Creek.

The emergency permit will be subject to 23 conditions of approval, which were developed in consultation with staff from the District and the California Coastal Commission. These conditions include, but are not limited to: time limits for applying for a regular Coastal Development Permit (30 days) and completing construction (180 days); a requirement for the District to submit semi-annual monitoring reports to the County with well-level pumping data; and measures to avoid impacts to air quality, cultural, and biological resources.

Emergency Justification

Staff determined that the work would qualify as an "emergency permit" as defined in the Coastal Zone Land Use Ordinance (CZLUO) because implementation of the brackish water supply project is necessary to secure Cambria's water supply during the upcoming dry season. The precarious state of Cambria's water situation is described in an April 22, 2014 memo from Bob Gresens, District Engineer, to the Department of Planning and Building:

"The severe drought has placed the CCSD water supply in jeopardy due to the total rainfall being approximately 65 percent of the minimum rainfall needed to fully recharge the two coastal stream aquifers serving as the community's sole water supply. Uncertainty remains on whether upper springs that serve to provide underflow to the creeks during the dry season will cease earlier than normal due to the very dry conditions within each watershed. This could result in CCSD well levels dropping at an accelerated rate during the late summer to early fall period, which could lead to seawater intrusion, pumps losing suction, and possible subsidence."

The adverse effects resulting from the depletion of Cambria's water supply would be potentially catastrophic and would cause significant damage to Cambria's economy and environment. Implementation of the brackish water supply project is a critical component of the District's contingency plan to secure its water supply and avert a scenario like the one described in Mr. Gresens' memo.

OTHER AGENCY INVOLVEMENT/IMPACT

Planning staff consulted with County Counsel and staff from the District and California Coastal Commission to develop the terms and conditions of the attached emergency permit.

FINANCIAL CONSIDERATIONS

The fee for an emergency permit is \$869. The Planning Director waived this fee pursuant to footnote # 4 of the adopted 2013-2014 Planning and Building Fee Schedule based on a determination that the project would result in a substantial public benefit.

RESULTS

This "receive and file" item satisfies the requirements for issuance of an emergency permit pursuant to Public Resources Code Section 30624(c). Issuance of the emergency permit is consistent with the County goal of ensuring safe communities.

ATTACHMENTS

1. Vicinity Map
2. Emergency Permit ZON2013-00589